



FROM COUNSEL

A Preventive Law Service of the Fort Riley Legal Assistance Office
Keeping You Informed On Personal Legal Affairs

ARMY FRATERNIZATION POLICY

Consider these questions and answers to help you determine your rights under the Department of the Army's Fraternization Policy.

REFERENCES:

- Manual for Courts-Martial, 2012 Edition
- AR 600-20, Army Command Policy, 6 November 2014

Q: WHAT IS THE FRATERNIZATION POLICY?

A. This is the Army's policy regarding senior-subordinate relationships that imposes prohibitions on many personal and business relationships between officers and enlisted Soldiers and noncommissioned officers (NCOs) and junior enlisted Soldiers. Violations of this policy may be punishable under the Uniform Code of Military Justice (UCMJ), as violations of a lawful general regulation.

Q: WHO IS CONSIDERED AN OFFICER, NONCOMMISSIONED OFFICER, AND JUNIOR ENLISTED SOLDIER?

A: The term "officer" refers to both commissioned and warrant officers. The term "noncommissioned officer or NCO" refers to Soldiers in the rank of Corporal through Command Sergeant Major. The term "junior enlisted Soldier" refers to Soldiers in the rank of Private through Specialist. The term "enlisted" refers to both NCOs and junior enlisted Soldiers.

Q: WHAT RELATIONSHIPS ARE PROHIBITED UNDER THE ARMY'S FRATERNIZATION POLICY?

A: Dating, sharing of living quarters (other than due to operational necessity), and engagement in intimate or sexual relationships between officers and enlisted Soldiers or between NCOs and junior enlisted Soldiers is prohibited.

Q: TO WHOM DOES THE ARMY FRATERNIZATION POLICY APPLY?

A: This policy applies to relationships both between Army officers and enlisted Soldiers or Army NCOs and junior enlisted Soldiers. Also, this applies to Soldiers and members of other branches of the services, when one is enlisted and the other is an officer or when one is junior enlisted and the other is an NCO. This policy also prohibits relationships between trainees and permanent party Soldiers, even when the same rank. Also, relationships between recruits and recruiters are prohibited.

Q: WHAT ABOUT RELATIONSHIPS BETWEEN PERSONNEL OF A DIFFERENT RANK?

A: The policy also strictly prohibits relationships between Soldiers of different rank, regardless if they are both officers or enlisted, that have any of the following effects:

1. Actually or appear to compromise the integrity of supervisory authority or the chain of command.
2. Cause actual or perceived partiality or unfairness.
3. Involve or appear to involve the improper use of rank or position for personal gain.
4. Are, or are perceived to be, exploitative in nature.
5. Cause an actual, or clearly predictable adverse impact on discipline, authority, morale, or the command's ability to accomplish its mission.

Q: WHAT ABOUT A RELATIONSHIP FOR BUSINESS?

A: All business relationships between officers and enlisted Soldiers or NCOs and junior enlisted Soldiers, except for landlord-tenant relationships and one-time business transactions (such as the sale of a car) are prohibited. Furthermore, the policy prohibits the borrowing and lending of money, and commercial solicitations, between officers and enlisted Soldiers or NCOs and junior enlisted Soldiers.

Q: IS THERE ANY PROHIBITION ON GAMBLING?

A: Gambling between officers and enlisted personnel or NCOs and junior enlisted Soldiers is strictly prohibited. An example of this is an NCAA pool with a monetary buy-in.

Q: WHAT RELATIONSHIPS ARE PERMITTED?

A: Social contacts between officers and enlisted Soldiers, or between Soldiers of different ranks, in forums such as community organizations, church activities, sports events, family gatherings, and unit social functions is permitted.

Q: WHO IS RESPONSIBLE FOR TERMINATING THE RELATIONSHIP?

A: While the senior Soldier in a relationship generally is in the best position to terminate or limit the relationship; the policy holds accountable all Soldiers concerned who violate the policy.

Q: WHAT IF I HAVE FURTHER QUESTIONS OR CONCERNS WITH THIS POLICY?

A: For Soldiers and family members requiring additional information on the Army's Fraternization Policy, please contact the Fort Riley Legal Assistance Office at 239-3117.

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